

# IDP Newsletter

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## Mass Exodus from Muttur

Dushanthi Fernando (Consortium of Humanitarian Agencies)

By the end of July, a fierce military confrontation in the Northern and Eastern regions of Sri Lanka began with the blockade at the Mavilaru anicut by the LTTE in Trincomalee. In an attempt to re-open the anicut, the military began operations resulting in mounting hostilities in the area between the Government and the LTTE; the result was capturing and recapturing military camps as well as other buildings including the Muttur Hospital, where the fighting lasted for several days at the beginning of August.

Overnight, in the midst of shelling and gunfire, masses of people, in a desperate attempt to escape death, fled to find safety in other towns. Among the exodus of people that fled the town of

Muttur, were families including children and infants. Despite all efforts to

keep their children in close proximity, some parents have lost them in the vast masses. These people are driven from the comforts of their own homes into cramped, over congested schools, mosques, churches or to similar community property in Kantale. Some of them have chosen to reside with relatives and friends, mainly in the areas of Thankmagama, Kinniya and Kantale. Even though it is not a new phenomenon, the escalation of violence in the Northern and Eastern districts has led to the displacement of more than 52,501 people from Trincomalee, out of which more than 5929 people are from Muttur, a predominately Muslim town.

How long are we going to watch people being driven out of their homes to uncertainty? While the trends of displacement become clearer with each passing day, the local authorities struggle to cope in delivering goods to those who are residing in refugee camps. The need for food, water security, health

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*IDPs from Muttur on the way to Kantale*



## Mass Exodus from Muttur...

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and sanitation has become imperative, while the fears of an outbreak of infectious diseases is looming. A majority of humanitarian agencies are concentrating on handing out aid to those who are now in Kantale leading to an over distribution of aid. This in turn has led to an oversight on the more actual and desperate needs that are prevailing in areas such as Serunuwara.

The restrictions on the freedom of movement

placed on the humanitarian community, along with the tight security situation, in the regions of Muttur and Eachchilanmpattu alone, is preventing agencies from providing basic necessities to more than 9,000 people, who remain trapped in this area.

According to UNHCR statistics, since April, a total number of 128,850 people are newly displaced within Sri Lanka, including the number of IDPs fled on 3<sup>rd</sup> of August from Trincomalee and its surroundings. A further 6,672 Sri Lankans have sought refuge in Tamil Nadu, India dating back to the beginning of this year.

## Focus on Recent Displacement

Bhavani Fonseka (Centre for Policy Alternatives)

The escalation of hostilities in the Northeast in the last few months has resulted in many civilians leaving their homes and communities, either moving within the district or leaving for other districts. Many in the Northeast areas have traveled to the North Western Province, the Western Province and the North Central Province, including Puttalam, Negombo and Udappuwa. There was also significant numbers moving from Trincomalee to Mannar, with the hope of crossing over to South India as refugees. There were also several incidents that have resulted in movement from Government controlled areas to LTTE controlled areas. Further, migration has taken place from border villages to urban areas as seen in Kebettigollawa area. As at 14<sup>th</sup> July, UNHCR figures stated that there were 69,570 IDPs who were displaced during the period 7<sup>th</sup> April to 14<sup>th</sup>

July 2006, with 5100 refugees who had left to South India. Only 683 out of the 5100 seem to have been registered as IDPs in Sri Lanka, raising concerns of registration procedures that are currently in place. In response to the rising hostilities and increasing displacement, several fact finding missions have been undertaken by various civil society actors including INFORM and the Centre for Policy Alternatives (CPA). This article highlights some of the findings of these missions and focuses on general displacement issues related to the recent past.

### Registration of IDPs

Although official figures number IDPs at 69,570 these are only limited to figures obtained from welfare camps and do not take into account the IDPs living with family and/or friends. Many individuals and families migrate to areas where they have family and/or friends, merging with these families who are already settled in these places. For example, 39 families who were displaced from Trincomalee live in Udappuwa with family and friends and are not officially registered as IDPs. Official figures also do not take into account the phenomenon of the 'night time displaced', those who spend the night at public buildings and return to their homes during the day. In several areas including Trincomalee and Pesalai, night time displacement was evident with many stay



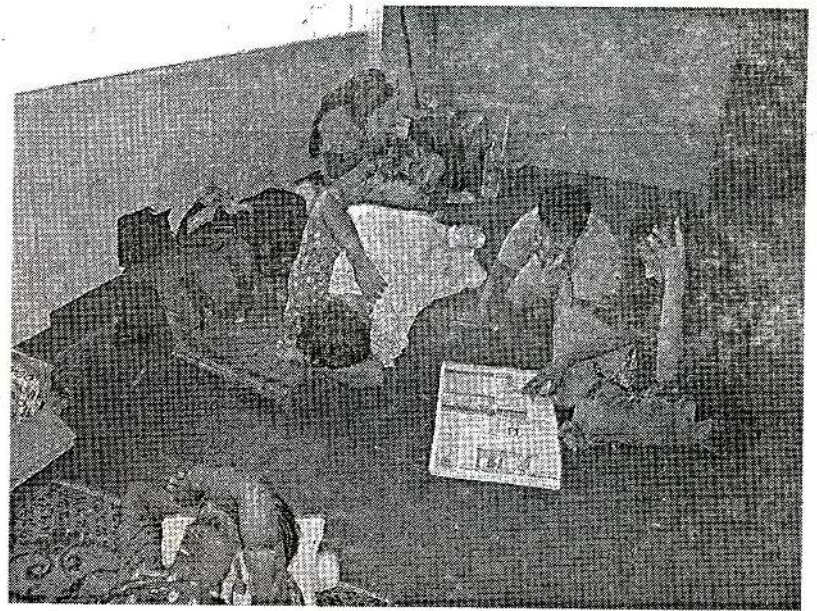


ing the night in local schools and religious buildings. Such trends of displacement are not captured in official figures and hence, official figures only represent a fraction of the displaced, missing out on the varied and invisible nature of displacement.

While newspapers in June reported that civilians were fleeing Government controlled areas and moving to LTTE controlled areas due to the deteriorating security situation, recent media reports state that, Tamil civilians residing in LTTE controlled areas in Batticaloa are now displaced in Government controlled areas due to pressure from the LTTE on civilians to obtain combat training as well child recruitment drive, resulting in civilians fleeing these areas. Further, following the killing of thirteen in one family in Allaipiddy on the 13<sup>th</sup> of May, many families left Appaipiddy fleeing to Kilinochchi in fear of increasing violence, leaving behind their livelihood of fishing. These examples demonstrate different faces of displacement, civilians moving from Government controlled areas to LTTE controlled areas and vice versa.

### Displacement from Border Villages

There has also been migration of civilians in areas outside the Northeast. As a direct result of the claymore attack on a civilian bus on the 15<sup>th</sup> of June in Kebettigollawa, as well as heightening tension and fear among civilians, many residents in surrounding border villages have been displaced, seeking refuge in the Kebettigollawa Madya Maha Vidyalaya, and staying with family and friends. As at 17<sup>th</sup> June, there were 1013 residing at the school, many living in cramped conditions, without sufficient infrastructure including water and sanitation facilities. Such issues seem to be common to most places that house large numbers of IDPs. As a result of schools being occupied by IDPs, there has been a disruption of education of local children in the area, which has to be addressed by the authori-



ties. Consideration also needs to be given to children who are displaced and are now residing in new areas; different reports stating that IDP children from Kokilai were not allowed entry to local schools in Negombo whereas IDP children in Udappuwa were allowed entry.

### Issues related to Northern Muslims

There has also been significant movement of Muslim civilians from the Mannar District and the rest of the Northeast, migrating to areas in Kalpitiya and Puttalam where many have family and friends. Reports state that around 384 families have migrated from Mannar, with 46 families migrating from Jaffna, Kilinochchi and Vavuniya. An interesting characteristic of these IDPs is that many were displaced to Puttalam and Kalpitiya in the 1990s, but returned to the Northeast after the signing

of the Ceasefire Agreement in 2002. Several had bought land and built houses, having integrated into the local community. With the possibility of peace, many returned to their original land in the North East, rebuilding their lives and reconstructing their houses. Having resettled, many had removed their names from the list providing dry rations in Puttalam and Kalpitiya. There have been reports

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*“People feel that they are not safe even in welfare camps since the grenade attack on a UNHCR refugee camp in Selvanayagapuram.”*

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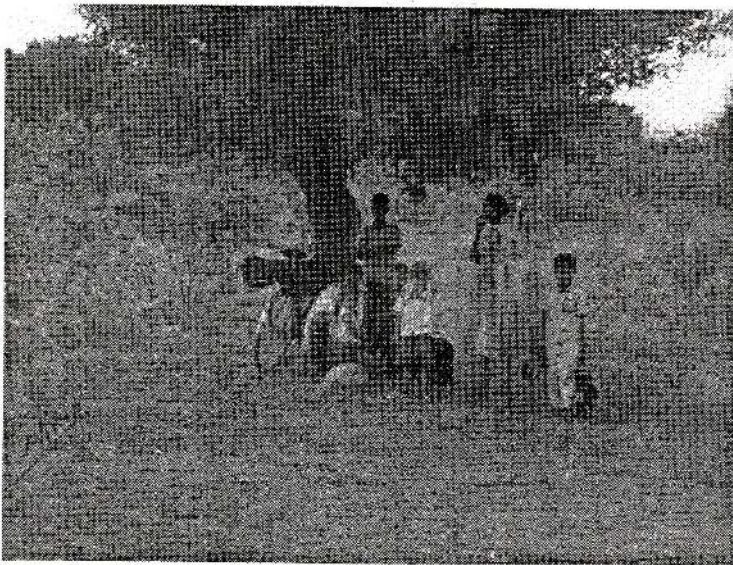


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of discrepancies in obtaining dry rations, many facing difficulties in getting on the list providing dry rations in the area of resettlement. Having returned to Puttalam and Kalpitiya due to the present situation in the Northeast, these people are back to their original position of being displaced and having to re-register in obtaining dry rations and other forms of assistance. There is also growing frustration among IDPs as they had left Puttalam and Kalpitiya areas, having sold their land and houses and having spent money or reconstructing their houses in the Northeast.

### Preparedness and Security

With the growing displacement, inadequate infrastructure and the lack of preparedness is becoming evident. Reports state that many live in schools and religious buildings with poor facilities especially regarding sanitation, food and water distribution. For example, Tamil IDPs from LTTE controlled areas in Muttur, following aerial attacks and now residing in Eachchilampattu, have yet not received assistance. They have not even been provided with temporary shelters nor sanitation and other facilities. There have been instances where IDPs did not receive immediate relief as seen in Trincomalee or did receive immediate relief but discovered that there was no continuity of assistance as seen in Pesalai where IDPs living in the Church of Our Lady of Victories were only receiving sporadic assistance, 11 days after the attack on the church.



*IDPs without shelter from Muttur*

A development in the last few months in the increasing security issues related to IDPs, welfare camps, and security of humanitarian actors and their workers. There were several attacks against welfare camps and other places where people were seeking refuge, such as religious buildings. Since the grenade attack on a UNHCR refugee camp in Selvanayagampura, which killed one person, people feel that they are not safe even in welfare camps. Similarly, the attack in Pesalai against the Church of Our Lady of Victories, where approximately 3000 people were seeking refuge, raises issues of human security as well as the standing of religious buildings and areas that are used for humanitarian purposes.

Further, security of humanitarian actors needs to be highlighted and measures brought in to address their security. Incidents such as the grenade attack against the Non Violent Peace Force office in Muttur, injuring an international staff member and two local staff, the death of a ZOA staff member in a mine explosion and the abduction of a TRO staff member in Valaichchenai, are some of the incidents that have been reported in the media that highlights the plight of humanitarian workers in the Northeast. It also demonstrates the volatile situation in the area. Such concerns have been raised by the donor community linking with the slowing down of work in the area and having an overall negative impact on reconstruction work in the Northeast. For example, 470 projects out of a total 1803 projects in the Trincomalee District has been suspended due to the violence. There have also been organisations

leaving the volatile areas or showing reluctance to travel to such areas, and as a result, affecting reconstruction efforts.

This article attempts to examine several trends of displacement as well as raise issues related to displacement. In addition to proper registration mechanisms, effective and efficient distribution of assistance and providing sufficient security to IDPs and humanitarian actors, consideration also needs to be given to equity issues. All efforts must be made to ensure that IDPs are not discriminated against on the basis of ethnicity, nature of displacement or geographical area of residence.



## Jaffna Registry Given a Helping Hand by UNHCR

Sulakshani Perera (UNHCR)

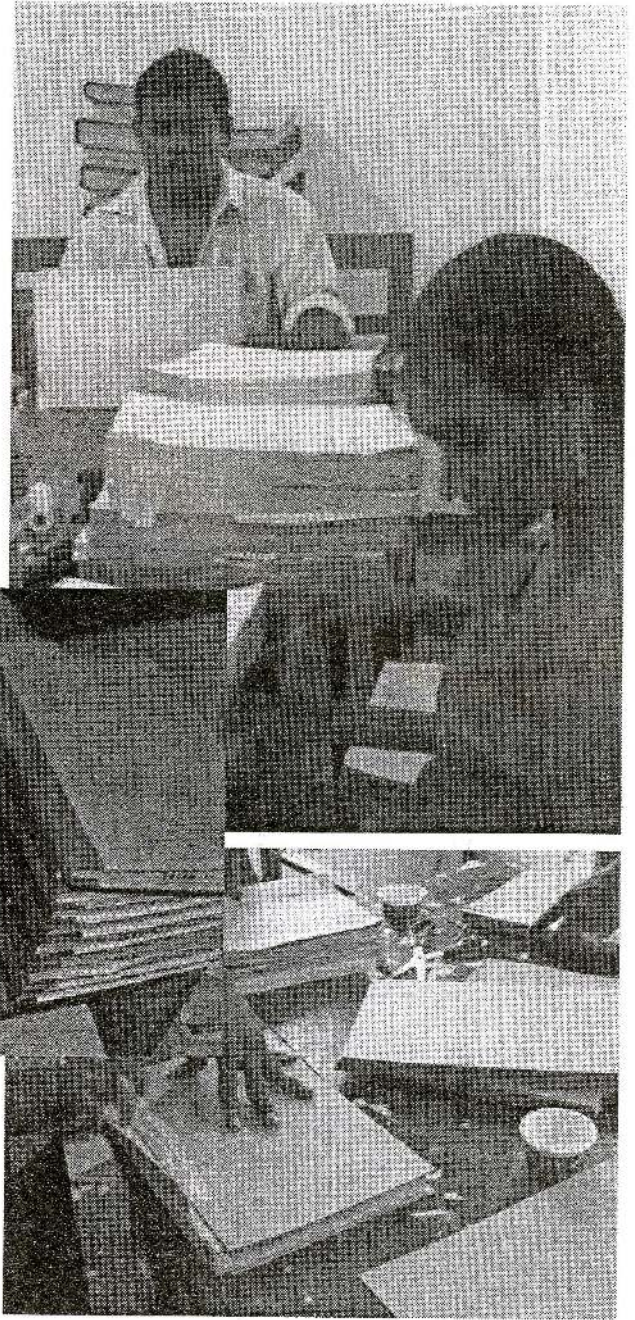
**C**OLOMBO 24 July: The Land and Civil Registry of the Jaffna District is being given a much-needed facelift, thanks to the maiden phase of UNHCR's Quick Impact Project (QIP) programme. The initiative will provide equipment and human resources to tackle the huge backlog of documents that have fallen into a state of decay over the years, and require reorganising after ten site relocations during the conflict. The project, which sets to benefit thousands of internally displaced persons (IDPs) in the Jaffna District who have lost documentation during the conflict or tsunami disaster, is being implemented by the Land and Civil Registry under the supervision of the Norwegian Refugee Council.

Twenty employees of the Gansanghavi Centre and Printers, who are tasked with the operation, have been working on the project since its launch in May this year. They have been divided into groups of five, with three of the groups involved in binding and indexing civil documentation (e.g. birth and marriage certificates) while the fourth group is involved in organising land-related documentation.

"By mid-June, we had bound and indexed 2,000 civil documentation books and 750 land volumes were completed," said Mr Pirabhakar, Additional District Registrar in Jaffna.

"Our target is to finish 5,000 civil documentation books and 2778 land volumes, so we are well on the way."

Once the programme is concluded, those who wish to locate civil and land-related documents in the Jaffna District will find the process much easier than before. A simple submission of the notary's name and the registered date or deed number is all that will be required from applicants. In the event that the relevant document cannot be located within



the Registry, the application will be reverted to the Central Record Room in Colombo. The result: a satisfied applicant being handed an original certified copy of the desired document.

UNHCR's QIPs target the implementation of small-scale and short-term projects which have an immediate impact on communities in order to promote return, facilitate stability and ease tensions between ethnic groups, as well as help to improve

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the local economy. The programme supports small projects costing up to US\$ 30,000, which can be implemented within twelve weeks and do not require ongoing financial support. The QIPs serve as a vital bridge between humanitarian assistance and longer-term development projects. In addition to infrastructure rehabilitation, other urgent needs of the community - from economic recovery to youth activities - will be covered under the QIPs

programme. These include projects related to psychosocial and educational activities, as well as those concerning confidence building and the promotion of civil society.

As many QIPs will be implemented directly by the district authorities or community groups themselves, their capacity for continued future development will be greatly strengthened by the success of this programme.

For further information on UNHCR's work in Sri Lanka visit: [www.unhcr.lk](http://www.unhcr.lk)

## The Suffering Due to Displacement

### Yalheenthira (Community Protection Network - Trincomalee)

At a time when all the efforts to arrive at a negotiated settlement of the conflict through the facilitation of a third party have failed, the continuing incidents of violence have created immense fear among the people. The prevailing security situation and the fear experienced by people need to be kept in mind while trying to comprehend the issue of being displaced from homes. In recent times, the number of people who are displaced from their homes in Trincomalee has been on the rise. According to available information, about 4,000 people from Trincomalee have sought refuge in the refugee camps of Tamil Nadu. They had left by sea from Mannar. Similarly more than 40,000 people have moved into LTTE controlled areas. It is a distressing experience for anyone being uprooted from his or her own soil, leading to displacement. However, it is not inappropriate to ask why people in such large numbers are forced to seek refuge – even in Tamil Nadu refugee camps, the conditions of which according to many, are unsuitable for living...it is due to the fact that all the attempts which have been made for years to restore peace have been futile and this situation has driven people to seek refuge where they feel safe.

There are two types of displacement. The first type is the internal displacement when people leave their homes and move to any other place within their own country to seek refuge. These people are Internally Displaced People (IDPs). The second type refers to people who give up their own country and migrate to another, referred to as Refugees. Although the above two categories dif-

fer in several aspects, the distress experienced by them on account of their inability to continue to live in their homes- their rightful property – is the same. In this modern world, the problem of refugees and the prisoners of war is considered as one of the foremost problems. This was identified for the first time by Fridt of Nausen (1861-1930) of Norway. At the end of the first World War, Nausen was appointed as the High Commissioner for International Refugee Organisation, where he was quite popular for rendering services. Later in 1951, in place of this organisation, UNHCR (United Nations High Commissioner for Refugees) was established. The main objective of this organisation focuses on the welfare of refugees. However, the UN has not created any division so far, to access the issues of IDPs. In 1992, Dr. Francis Deng was appointed by the then UN Secretary General to attend to the issues of Internally Displaced Persons. Accordingly in 1988, a group of legal experts headed by Deng drafted the Code for the Internally Displaced Persons. This Code is known as the Guiding Principles on International Displacement.

In respect of resettlement, Clause No.28- Principles relating to return, resettlement and reintegration – states as follows :-

#### 28.1

The foremost duty of the Authorities is to create an environment necessary for the Internally Displaced Persons to settle on their own, voluntarily and safely and with dignity in their households or

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to settle voluntarily in any other part of the country.

The second part of the above clause states as follows: -

28.2

Special attention must be paid to ensure the fullest involvement of the Internally Displaced Persons in their Return, Resettlement and Reintegration.

Most people get displaced from their own dwelling places on account of safety reasons. If we consider the circumstances, we would find that it is generally associated with conflict, natural di-

sasters and/or development led displacement. On account of the war situation that prevailed in the past, several thousands of people have been displaced and are continuing to live in refugee camps. While they are not in a position to resettle in their own places, more and more people are being displaced. In this context, non-governmental organisations cannot assess the lives of these unfortunate people by simply expressing anti-war utterances. This continuous trend in internal displacement cannot be stopped easily because people lack confidence in their safety. Hence under these circumstances, the local non-governmental organisations need to focus their attention on the needs of the displaced people and advocate for their rights that needs to be protected.

## Multi-dimensional Displacement in Sri Lanka

Jeevan Thiagarajah and Dinusha Pathiraja (Consortium of Humanitarian Agencies)

Sri Lanka has a population of 19.043 million out of which according to UNHCR figures of 2005 consisted of 27 195 returned IDPs, 2700 repatriated refugees, 324 699 conflict affected IDPs, 457 576 tsunami affected IDPs, 124 800 Sri Lankan refugees abroad and 290 refugees and asylum seekers in Sri Lanka. Without exaggeration, it can be pointed out that these are alarmingly high numbers. With the present instability in the country, mass displacement of people, especially in the Eastern parts of the country, has occurred several times quoting figures of 40 000 and 35 000 persons displaced in different locations. At this time, its difficult to gather the true statistics, but suffice to say that if peace negotiations are not reached and the offensives were to continue, the numbers of persons being displaced would reach high proportions within a short space of time.

Displacement has been manifested through direct and indirect forced migration brought by social inequity and natural disasters. On one hand, the former is less visible and is present in a very sinister manner as the dispossessed comprise of right-less, faceless entities. On the other hand, those displaced due to natural disasters demands the restoration of much of the same rights of those affected. The issues of concern faced by both of these categories include:

- Access to assistance: right to request and

receive assistance from national authorities/non-State actors;

- Non-discrimination: neutrality and impartiality practised in providing assistance;
- Protection of women and children: access to special health concerns, sensitive cultural practices, safety of children from military recruitment;
- Access of education: in order to minimise the disruption to education;
- Loss of documents/property issues: difficulties in accessing health care, education and compensation. All such documents require replacements as soon as possible;
- Participation: inclusion of IDPs in making decisions that affect their future;
- Voluntary return and resettlement: consent, adequate assistance to restart their lives.

Unlike in many other South Asian countries, Sri Lanka does not hold persons displaced owing large development projects. Major irrigational development projects in Sri Lanka such as the *Mabaweli Scheme* pre-planned resettlements in order to avoid this problem. This can be pointed out as an exemplary condition which needs to be kept that way.

A dimension of displacement is the literal di-

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saster it brings to the lives of a displaced individual. It means that in the life of a displaced person, every waking moment is one of crisis and uncertainty. For some it is a world of darkness, in migrated locations, lacking an identity either within the public sphere or within a host community. The literal darkness brought about by this condition brings about a further set of vulnerability amongst the displaced.

When making decision for the displaced, it is necessary to give consideration to the aspirations of the displaced people. The basic and fundamental causes need to be revisited in formulating plans for resettlement and rebuilding. Poverty induced displacement provides a dichotomous challenge as it demands thinking outside the box in making development decisions that are feasible to both who are living in developed urban areas and under-developed rural areas. The challenge, if not dealt with can create vicious social cleavages among people.

In any war situation it has been demonstrated that upholding and protecting human rights and humanitarian standards have become secondary. This would tantamount to the value placed on the right to life and right to death being reduced thereby the concerns of the people becoming secondary while creation of violence become primary. The facts and the figures on internal displacement within the national context speak of a siege on human dignity and all the rights an individual is entitled to. Displacement attacks at the dignity of the individual and systematically derogates the rights of the individual. The promotion and the protection of the rights of the individual must address this siege. In practical terms, this calls for preventive intervention, intervention in hindsight and the use of humanitarian and human rights work to systematically indict those who lay siege on human rights of entities. The principles and the provisions which are available now should be used by protection agencies in the furtherance of this end.

It would however not be a comprehensive picture if a departure is made at this point concerning the Sri Lanka without mentioning the

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*“...in the life of a  
displaced person, every  
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of crisis and  
uncertainty.”*

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diligent effort that is being made to grapple with the issues of ending displaced. A committee consisting of representatives from the Ministries of Planning & Implementation, Resettlement, Nation Building & Development and Consortium of Humanitarian Agencies as the representative of the humanitarian sector have formulated *An Act to establish an authority to be called the Jathika Saviya Authority*<sup>1</sup>: to vest the authority with the power to formulate a national policy and plan, implement, monitor and coordinate the resettlement of the internally displaced persons and refugees and look into other related matters.

The Ending Displacement Act is awaiting completion and at present it is looking into areas such as-

- Forge partnerships with the displaced in their recovery
- Recognition of the right to receive representation by IDPs and to take some more action on IDPs
- Right to access information related to policy/resources/progress of such enterprises by all agencies of State and others
- Restoration of human rights including cultural values of the displaced

The Act will come into effect at a crucial time such as now and we hope that it will be able to turn the lives of the internally displaced in Sri Lanka towards a better future. Displacement has been the most visible impact of the conflict and therefore, the end of displacement would undoubtedly be one of the most visible progressions to peace in this country.

*(This article has been adopted from the paper titled 'Human Rights and Humanitarian Laws in the face of continued displacement in Sri Lanka' co-authored by Jeevan Thiagarajah & Dinusha Pathiraja, presented in New Delhi on 21<sup>st</sup> August 2006 to mark the release of the Hindi translation of Guiding Principles on Internally Displaced Persons.)*

(Footnotes)

<sup>1</sup> Also referred to as: Ending Displacement Act



# High Security Zones and the Supreme Court Judgement: To What Extent is it an Impediment for Resettlement of IDPs?

Fareeha Jaleel (CHA)

It is a challenge to look at displacement of people as simply physical displacement but it is a displacement of their existence, up-rooting of a generation, a transition to the fundamentals of an individual and it is indeed a single sound of word with a legacy of trauma.

The Ceasefire Agreement (CFA), which was signed in 2002, was seen as a tangible step to create a good environment for the displaced. Yet after four years, it remains in place despite escalating violence in the North and East, only to be recognised as an agreement which has no legal validity and which lacks in moral acceptance. The recent outbreaks of violence in the country has created yet another displacement of approximately 133,000 persons and another 6,627 people moving to India as at 16<sup>th</sup> August, 2006.<sup>1</sup>

The question of return and resettlement of these displaced persons has different dimensions, as the fundamental precondition for their return is a safe environment.

The issue of High Security Zones (HSZ) and the return and resettlement of IDPs is perennial, on the Jaffna peninsula alone, fifteen HSZs have been established since 1990, covering about 160 square kilometres or eighteen percent of the land mass. Recent Supreme Court judgement on the issue of fundamental rights violation case filed by two individuals whose residences were under the Sri Lanka Army (SLA) HSZ was shocking in terms of the civilian perspective. The judgement that is delivered long after the retirement and or death of most of the respondents required specifically the villages to “form into citizen committees and ensure that security forces are in no way imperilled in the area due to any armed or terrorist activity”<sup>2</sup>. In other words, the responsibility for preventing attacks on the forces inside the specific HSZ is placed on the villagers themselves, providing a pretext for removing them again. The narrow character of the court ruling makes it difficult to use the case as a precedent or to provide for any policy formulation concerning ‘ending displacement’ for persons dis-

placed over the past two decades.

On the one hand, though HSZs has been the central point of discussion in many stages in the peace process and at many levels of policy discussions, what is actually overlooked or is neglected is the fact that at a certain point of argument, the HSZ is not a main issue for the return of IDPs. It is because a CLEAR MAJORITY OF RESETTLEMENT CASES RELATE TO AREAS OUTSIDE THE HSZs.

In addition, lands that come under HSZs, in many cases belong to those living outside the country as refugees and not to most of those who are in Sri Lanka. Further investigation will unveil the different issues that are preventing the return of IDPs, that is not necessarily to the HSZs.

On the other hand, the legal system is jeopardising the people by allowing them to resettle within HSZs, risking their own lives and

at the same time mete out judgements that do not provide the civilians the least of their rights guaranteed through the constitution. This judgement also underestimates the capacity of the judiciary in providing a balanced opinion when it comes to the humanitarian and military perspectives.

It also explains that the legal system is unable to provide the necessary protection in a militarised society. Therefore, resettlement of these IDPs can only be effectively integrated through a de-escalation process, which necessarily brings in the component of considering the effective return and resettlement of IDPs as an integral part to the peace process. Therefore, the parties to the peace talks should address and bring in a viable solution to this issue by way of keeping the peace process in operation and maintaining a ceasefire. In doing so, they must first decide on a political module, until then speaking of resettlement of IDPs will only risk the lives of the people.

## Footnotes

<sup>1</sup>UNHCR report dated Sri Lanka Situation Update (17 August 2006)

<sup>2</sup> Peiris Vilani – World Socialist Web Site.

*“...the legal system is jeopardising the people by allowing them to resettle within HSZs...”*



## Internal Displacement and Effective Integration into the Peace Process- Sri Lanka's Case Study

Following are some excerpts from a paper submitted on the above subject in collaboration with the Brookings Institution.

The peace process in Sri Lanka between the two official main actors, the Government of Sri Lanka (GoSL) and the Liberation Tigers of Tamil of Ealam (LTTE) is currently stymied, unable to address substantive issues.

Sri Lanka's issues on Internally Displaced Persons (IDPs) have been addressed at the highest levels of many rounds of peace talks; however, strategies and implementation to effectively address the issues on the ground have repeatedly been stifled.

Some issues are unique to the IDPs of Sri Lanka due to the nature of their different ethnic, religious and geographical backgrounds providing a combined complexity to resolving issues. These displacements have occurred at different times over the years. Even more exceptional is how some communities have been displaced more than once, having been affected by some or all of the three main factors. IDP issues have to also be viewed in the backdrop of resource sharing and socio-economic conflicts that have beset the unsuccessful nation building process in Sri Lanka.

Over the past three decades, more than three million people have been displaced in Sri Lanka. The displacements have occurred in the Northern and Eastern provinces and the border areas of these provinces. The displaced people belong to all three ethnic communities (Tamil, Sinhala and Muslim). According to UNHCR figures, between the 7<sup>th</sup> of April and 4<sup>th</sup> of July 2006, 69,570 people were reportedly displaced; some 18,129 have returned home, with 50,758 reported remain displaced, surpassing the rate of returnees.

### How Could Integration of IDPs' Issues in the Peace Process Become More Effective?

Sri Lanka presents evidence for IDPs issues being recognised at the Track I level peace talks. The political will was visible during February 2002 to December 2005 period when the Ceasefire Agreement was effective and its positive results visible. Integration of IDPs issues becomes consequential, especially in the context of a peace process.

Increased allegations indicating that the 'aid pledged for peace and reconstruction in Sri Lanka are 'phantom aid that never materialises, but diverted for other purposes within the system and are not 'real aid,' questions INGOs' integrity/effectiveness while challenged coupled with security risks for those who work in the humanitarian sector. Significant interventions, education campaigns and transparency from the part of the international actors to addressing humanitarian and development issues in Sri Lanka, may save the danger of the entire enterprise of peacebuilding and reconstruction being seen as a farcical capitalists industry. At the same time the GoSL needs to take a more active role in ensuring an enabling environment for assistance to materialise in light of the security threat the international community is subject to.

Development agencies need to prioritise their commitment in their medium and long-term development work in the Northeast and emphasise on reconstruction and rebuilding of the infrastructure specially in promoting resettlement of IDPs. International donors can utilise their leverage to pressurise parties to resuscitate the peace process.

Confidence building measures and peace education that provide a deeper understanding of the peace process in Sri Lanka is imperative to build the Government, civil society institutions' capacity; aiming at both top-down and bottom-up approaches to understand and better meet the interests, needs and concerns of the common masses and give the peace process subsistence to exist.

In its examination of how to effectively integrate IDPs issues in the peace process, the paper reinforces that a combination of conditions and the resolution of a variety of IDPs issues depend firstly on a violence free society that is embedded in an effective peace process. While stressing that peace talks are not a necessary condition for resolving the whole gamut of IDP issues unique to Sri Lanka, also reiterates the bottom-up approach and a decentralised authority to look into these issues.

How to strengthen democratic forms and in-

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stitutions of representation of IDPs remains a daunting and challenging task. IDPs are not organised on their own, as they are too small a group to mobilise due to the hardships of being displaced. Although the emergence of the IDPs' own leadership is encouraged for representation at the peace talks level there are many more concerns as well that would need to be addressed to ensure a democratic and uninterested result. These representatives

may eventually make IDPs representation undemocratic; UNHCR and other UN agencies and INGOs can help nurture and develop these groups.

Peace talks, negotiations and peace accords that would naturally follow the onset of an effective peace process could address them later. The paper concludes that peace talks are not a necessary precondition for successful resolution of all the IDPs issues, stopping violence and returning to the peace process.

## The Plight of the People of Trincomalee

Peter Sinclair - CHA District Officer, Mannar

The following are excerpts of true life stories as narrated to a CHA staff member involved in field work in Mannar.

*Since the latter part of the month of May, the people of Trincomalee were displaced from their native places such as Anbuvalipuram, Selvanayabapuram, Thirukadaloor, Pallatbhoddam, 10<sup>th</sup> November and Nilaveli and started moving towards Pesalai. At first there were one or two such families, but later bus loads of families arrived, which resulted in 90% of the people evacuating these areas.*

*Initially, these people were accommodated in the Pesalai Church, when there were more than 125 families. The numbers eventually decreased to 405 people, as many families began leaving for India. These people were arrested later by the Sri Lankan Navy, while they were crossing the sea by boat*

*and brought back to Thalaimannar. They were provided with shelter in Thalaimannar school and the Church, with the help of Rev. Father Daleema. The Secretary of Divisional Secretariat, Mannar provided them with cooked meals for three days and this was followed by institutions including UNHCR, ZOA, OFERR, who provided some assistance.*

*The Sri Lanka Navy has arrested and released 395 people so far. At present, 19 people belonging to five families are staying in the Pesalai camp. They are in much distress now as a result of their arrival here and ..... has assisted them by providing them with cooking utensils. Are they going to be left like this or is there any alternative that can be adopted?*

**N Roshana**

Info Assistant - Mannar

*Had we stayed in our houses, we too would have lost our lives to the guns of the unruly thugs. While I was going out, I saw with my own eyes, a mother and her daughter who had been going ahead of me, were being cut. The coconuts and vegetables from the bag they had been carrying were scattered all over the place. Seeing this, I ran to seek a secure place to save my life. In order to avoid such things happening to us too, we have come here to proceed to India.*

**Manoj**

Thirukkadaloor, Trincomalee  
25/05/2006

*Hearing a gun shot I came out. People, with swords, knives and guns*



*On the way to Kinya*





IDP children in Mutur

in their hands entered the area where the Tamils were living. Members of the monitoring mission who arrived to prevent the confrontation were also attacked by the mob. The driver of their vehicle was killed in the attack. As a result of this, all the shops were closed and meals were not available. If we continued to stay here we would also be killed. I have come to Pesalai, thinking that we would be able to live here after fleeing.

### Roshan

Thirukkadaloor, Trincomalee  
25/05/2006.

My relatives, my family and I were very scared due to the prevailing ethnic issue. The Police and Army leaders got together and told us that hence-forth no such problems would occur among the people and that they would be responsible for such a guarantee. This relieved the people of their fear to a certain extent. On another day a group of thugs entered our village with knives and swords. One of them seized the gun that belonged to the army and shot one of our people dead. This was being witnessed at that time by the Police and Army.

If they cannot control these situations, how can they provide protection for us? Hence, we vacated our area in order to save our lives.

Nilaveli, Trincomalee  
10-02-2006

We came here to save our lives. As the situation here became unsafe to live, we intended to go to India.

When we inquired about this, they demanded Rs. 12,000/- per person. We sold our jewellery and pooled in the cash and paid Rs. 150,000/- for a boat. These boatmen deceived us. Later the Grama Sevaka of Pesalai recovered half of this money to us. The boat by which the family of one of my relatives traveled to India, capsized on the way and four members of the same family lost their lives. Thus, we have lost our possessions and have undergone immense difficulties. Will there be any salvation for us?

### Manimekalai

Paalaiyootu, Trincomalee

## PROFILE OF CHA

CONSORTIUM OF  
**CHA**  
HUMANITARIAN AGENCIES  
ISO 9001 REGISTERED

The Consortium of Humanitarian Agencies is an association of agencies working in and supporting work in Sri Lanka. CHA through its member organisations is committed to protecting the basic rights and the livelihoods of the most vulnerable in society such as children, the elderly, the disabled, women, the wounded, prisoners, refugees, the displaced as well as all those living in poverty or suffering from deprivation and loss as a consequence of conflict or disaster.

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We welcome your comments, suggestions and contributions in terms of articles for publication.

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